
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY JON ELGIN,

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 2:20-CR-00048-DAK-1

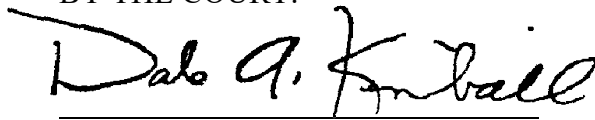
Judge Dale A. Kimball

This matter is before the court on Defendant's Motion for Furlough. (ECF No. 28.) In his motion, Defendant seeks a furlough for an unspecified amount of time and on an unspecified date to attend his aunt's funeral in Connecticut. Before the court may grant a motion for furlough, a defendant must show "by clear and convincing evidence that [he or she] is not likely to flee or pose a danger to the safety of any other person or the community if released." 18 U.S.C.A. § 3143(B). Defendant has not met this burden.

The court will not belabor the point in denying Defendant's motion. The Presentence Investigation Report (ECF No. 19 (sealed)) demonstrates that Defendant has a serious, repeating, and apparently ongoing problem with child pornography. The nature of Defendant's crimes and conduct convince the court that Defendant would pose a real and serious danger to the community if furloughed even for a short time. Accordingly, Defendant's Motion for Furlough is DENIED. (ECF No. 28.)

DATED this 22nd day of February, 2021.

BY THE COURT:

A handwritten signature in black ink that reads "Dale A. Kimball". The signature is written in a cursive style with a horizontal line underneath the name.

DALE A. KIMBALL
United States District Judge